

To: David Powers/R10/USEPA/US@EPA[]
Cc: Jayne Carlin/R10/USEPA/US@EPA; Alan Henning/R10/USEPA/US@EPA; David Croxton/R10/USEPA/US@EPA; Don Waye/DC/USEPA/US@EPA; Helen Rueda/R10/USEPA/US@EPA; Jennifer Wu/R10/USEPA/US@EPA; Kelly Gable/R3/USEPA/US@EPA[]; Ian Henning/R10/USEPA/US@EPA; David Croxton/R10/USEPA/US@EPA; Don Waye/DC/USEPA/US@EPA; Helen Rueda/R10/USEPA/US@EPA; Jennifer Wu/R10/USEPA/US@EPA; Kelly Gable/R3/USEPA/US@EPA[]; David Croxton/R10/USEPA/US@EPA; Don Waye/DC/USEPA/US@EPA; Helen Rueda/R10/USEPA/US@EPA; Jennifer Wu/R10/USEPA/US@EPA; Kelly Gable/R3/USEPA/US@EPA[]; on Waye/DC/USEPA/US@EPA; Helen Rueda/R10/USEPA/US@EPA; Jennifer Wu/R10/USEPA/US@EPA; Kelly Gable/R3/USEPA/US@EPA[]; Helen Rueda/R10/USEPA/US@EPA; Jennifer Wu/R10/USEPA/US@EPA; Kelly Gable/R3/USEPA/US@EPA[]; Jennifer Wu/R10/USEPA/US@EPA; Kelly Gable/R3/USEPA/US@EPA[]; Kelly Gable/R3/USEPA/US@EPA[]
From: Allison Castellon <allison.castellan@noaa.gov>
Sent: Fri 11/9/2012 10:17:00 PM
Subject: Re: Revised Deadline to COB Wed for Your Input & Review by COB Tuesday: Initial Draft NOAA/EPa CZARA Assessment
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After mulling over the draft letter more and what we want to say, I'm thinking we may want to consider keeping the letter rather short and sweet, hitting the main points only, and include an enclosed doc that provides specific feedback on what they've done, what they still need to do, working in the points Dave included below (and maybe others?). Perhaps organized under the two main headings: objective a & b what the settlement says we need to comment on? Following our directed response to the points in the SA, we can provide additional comments on OSDS/new devel.

I'm working on some potential text for the cover letter and will try to capture some thoughts on OSDS and new devel too if others that have been tracking the TMDL process more closely would like to focus on those issues.

On Thu, Nov 8, 2012 at 8:22 PM, <Powers.David@epamail.epa.gov> wrote:

Jayne - thanks for putting together the initial draft. I'll do a more detailed review and provide comments next week but did take a quick look and offer the following observations:

- The initial draft does a good job of documenting the status of DEQ efforts to date and provides important settlement context
- Given OR's retreat from their initial approach, the lack of identified MMs or clear criteria/process for evaluating MMs, and the strong pressure from DMAs and timber/ag interests for DEQ to not include additional MMs I thought that we would use the initial assessment to send a stronger message
- Rather than say we couldn't do the initial assessment we could indicate that based on what EPA has been presented to date we do not believe the coastal TMDL approach is likely to result in actions that achieve and maintain WQS or satisfy outstanding forestry conditions

☐ We could then expand on what EPA/NOAA believe is still needed and critical for making a determination that the approach would meet WQS/satisfy outstanding conditions

- This would include points in the initial draft regarding the need for clear, required MMs in the TMDL and/or criteria for determining DMA MMs are adequate and explanation of how DEQ's process would trigger DEQ development of MMs when necessary to meet WQS
- With respect to forestry we could id that the conceptual road strategy has good potential but needs to have specifics fleshed out and reiterate the lack of progress on MM's for riparian and landslide prone area protection, highlight the need to provide additional riparian MM's for both small and medium streams, indicate the need to include MM's for nonfish streams and cite ODF's failure to consider nonfish streams in rulemaking, and highlight the need for landslide prone area MM's.
- We could also send a message to the State that they can use in persuading the OR Legislature to allow DEQ/the EQC to move forward with on-site rules.
- I haven't focused on DEQ's TMDL guidance/new developments effort or whether EPA/NOAA think it will be adequate...if so lets say it is...if not lets id what needs to be done
- bottom line is that while DEQ has collected data, held advisory and technical meeting, and outlined promising potential approaches, there has been extremely limited progress on MM's which are key to meeting both WQS and outstanding CNPCP conditions

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-----Jayne Carlin/R10/USEPA/US wrote: -----

To: Jennifer Wu/R10/USEPA/US@EPA, Alan Henning/R10/USEPA/US@EPA, allison.castellan@noaa.gov, Don Wayne/DC/USEPA/US@EPA, David Powers/R10/USEPA/US@EPA, Helen Rueda/R10/USEPA/US@EPA

From: Jayne Carlin/R10/USEPA/US

Date: 11/08/2012 11:57AM

Cc: David Croxton/R10/USEPA/US@EPA, Kelly Gable/R3/USEPA/US@EPA

Subject: Revised Deadline to COB Wed for Your Input & Review by COB Tuesday: Initial Draft NOAA/EPA CZARA Assessment

Hi All,

Allison reminded me that Monday is a holiday so I am revising the due date to COB on Wed. Don't worry if you don't have the time to review by that date. You can review the next version as I expect us to go through several versions.

Cheers,

Jayne

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----- Forwarded by Jayne Carlin/R10/USEPA/US on 11/08/2012 11:55 AM -----

From: Jayne Carlin/R10/USEPA/US

To: Jennifer Wu/R10/USEPA/US@EPA, Alan Henning/R10/USEPA/US@EPA, allison.castellan@noaa.gov, Don Waye/DC/USEPA/US@EPA, David Powers/R10/USEPA/US@EPA, Helen Rueda/R10/USEPA/US@EPA,
Cc: David Croxton/R10/USEPA/US@EPA, Kelly Gable/R3/USEPA/US@EPA
Date: 11/08/2012 10:03 AM
Subject: Your Input & Review by COB Tuesday: Initial Draft NOAA/EPA CZARA Assessment

Hi All,

Attached is the initial draft assessment desperately needing your input and review.

(See attached file: EPA NOAA Assessment Dec 2012 Draft 11-8-12.docx)

Please provide your comments by COB on Tuesday and I will send out a revised draft for your review. I anticipate several rounds of comments before we can begin managerial and attorney review.

Jayne

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[attachment "EPA NOAA Assessment Dec 2012 Draft 11-8-12.docx" removed by David Powers/R10/USEPA/US]

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